

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Comprehensive Plan Amendment Act of 1998 to make technical corrections and to respond to findings by the National Capital Planning Commission; and to order the legal closing of a public alley in Square 1189, bounded by 31st Street, N.W., K Street, N.W., Wisconsin Avenue, N.W., and South Street, N.W., in Ward 2.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Comprehensive Plan Technical Corrections and Response to NCPC Recommendations and Closing of a Public Alley in Square 1189, S.O. 98-150, Act of 1999".

**TITLE I - TECHNICAL CORRECTIONS TO THE COMPREHENSIVE PLAN**

Sec. 101. Section 3 of the District of Columbia Comprehensive Plan Act of 1984, effective April 10, 1984 (D.C. Law 5-76; D.C. Code § 1-245 *passim*), is amended as follows:

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(a) Section 199.1 of Chapter 1 is amended as follows:

(1) The definition of "Central Employment Area" is amended as follows:

(A) Strike the abbreviation "N.E." after the phrase "to 9th Street, N.W., north along 9th Street, " and insert the abbreviation "N.W." in its place.

(B) Strike the phrase "to Massachusetts Avenue, N.W., east along Massachusetts Avenue, N.W.".

(C) Insert the phrase "the south side of" after the phrase "south along 13th Street, S.E. to".

(D) Insert the phrase "the east side of" after the phrase "fronting on the south side of Good Hope Road, S.E. to".

(E) Insert the phrase "Howard Road, S.E., west along Howard Road, S.E., to a line extending from the rear property line of properties fronting on the west side of Martin Luther King, Jr. Avenue, S.E., north along the rear property line of properties fronting on the west side of Martin Luther King, Jr. Avenue, S.E., to a line projecting from the rear property line of properties fronting on the north side of" after the phrase "south along the rear property lines of properties fronting on the east side of Martin Luther King, Jr. Avenue, S.E. to".

(F) Strike the phrase "the rear property line of property fronting on" after the phrase "south along the Baltimore and Ohio Railroad right of way to".

(G) Strike the phrase "east along the rear property line of property fronting on Howard Road, S.E. to the rear property lines of properties fronting on the north side of Shannon Place, S.E., north along the rear property lines of properties fronting on the north side of Shannon Place, S.E. to Chicago Street, S.E., east along Chicago Street, S.E. to Martin

Luther King, Jr. Avenue, S.E., south along the rear property lines of properties fronting on the east side of Martin Luther King, Jr. Avenue, S.E. to Howard Road, S.E.,".

(b) Section 404.4 of Chapter 4 is amended by striking the phrase "feet) of" and inserting the phrase "feet of)" in its place.

(c) Section 940.2(g)(4) of Chapter 9 is amended by striking the phrase "oning district" and inserting the phrase "zoning district" in its place.

(d) Chapter 11 is amended as follows:

(1) Subsection 1100.7(d) is amended by striking the phrase "parameters as a planning tools" and inserting the phrase "parameters as planning tools" in its place.

(2) Subsection 1109.1 is amended by striking the phrase "researchs and development" and inserting the phrase "research and development" in its place.

(3) Subsection 1129.1 is amended by striking the term "tation" and inserting the word "station" in its place.

(4) Subsection 1138.1(s) is amended by inserting the phrase "consideration of" after the phrase "buildings located in historic districts, by".

(5) Subsection 1138.1(t) is amended by striking the phrase "which reflects" and inserting the phrase "if necessary to protect and enhance" in its place.

(e) Chapter 13 is amended as follows:

(1) Subsection 1342.1(b) is amended by striking the phrase "campus plan the Foggy Bottom community needs to address" and inserting the phrase "campus plan process, George Washington University and the Foggy Bottom community need to address" in its place.

(2) Subsection 1365.3 is amended by striking the phrase "Convention Cnter" and inserting the phrase "Convention Center" in its place.

(f) Chapter 17 is amended as follows:

(1) Subsection 1700.8 is amended by striking the phrase "14th Street area," and inserting the phrase "14th Street area" in its place.

(2) Subsection 1711.1(p) is amended by striking the phrase ";;" and inserting the phrase ";" in its place.

(3) Section 1734 is amended by striking the phrase "(f) In the Capitol Hill Historic District" and inserting the phrase "(h) In the Capitol Hill Historic District" in its place.

(g) Subsection 1804.8 is amended by inserting the word "the" after the phrase "legislation,".

(h) Chapter 19 is amended as follows:

(1) Subsection 1903.5(a)(2) is amended by striking the phrase "city wide proportion of black, white, and other races was twenty-seven percent (27%), and three percent (3%) respectively" and inserting the phrase "city-wide proportion of black, white, and other races was seventy percent (70%), twenty-seven percent (27%) and three percent (3%), respectively," in its place.

(2) Subsection 1903.5(b)(4) is amended by striking the phrase "seventy-four percent (74%)" and inserting the phrase "seventy-three percent (73%)" in its place.

(3) Subsection 1903.5(b)(5) is amended by striking the word "prices" and inserting the word "price" in its place.

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## **TITLE II - NCPC-RECOMMENDED AMENDMENTS TO THE COMPREHENSIVE PLAN**

Sec. 201. In response to the resolution adopted by the National Capital Planning Commission on March 4, 1999, which certified findings of federal interest impact of certain provisions of the Comprehensive Plan Amendment Act of 1998, effective April 27, 1999 (D.C. Law 12-275; 46 DCR 1441) ("Comprehensive Plan"), the Council, pursuant to section 203(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 779; D.C. Code § 1-2002(a)), amends the Comprehensive Plan as follows:

(1) Chapter 11 is amended as follows:

(A) Subsection 1108.1(t) is amended to read as follows:

"(t) Encourage the expansion of existing hotels in nonresidential areas, and where not inconsistent with this Comprehensive Plan, including the enclosure of the existing rooftop terrace, approximately 16 feet in height, of the Hay-Adams Hotel, subject to coordination with the security needs of the United States Secret Service."

(B) Subsection 1120.2(d) is amended to read as follows:

"(d) Retain existing hotel uses by allowing and encouraging expansion of those uses, including the enclosure of the existing rooftop terrace, approximately 16 feet in height, of the Hay-Adams Hotel, subject to coordination with the security needs of the United States Secret Service."

(2) Subsection 1409.7(e) of Chapter 14 is amended to read as follows:

"(e) A significant complex of embassy compounds or ambassadorial residences is now concentrated along Tilden and Van Ness Streets. New high-rise structures adjacent to these properties would adversely impact existing residential uses in the area."

(3) Subsection 1711.1(q) of Chapter 17 is amended as follows:

(A) Strike the phrase "in, adjacent to, or".

(B) Strike the phrase "residential neighborhoods" and insert the phrase "any other use" in its place.

### **TITLE III - CLOSING OF PUBLIC ALLEY IN SQUARE 1189**

Sec. 301. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Code § 7-421)("Act"), the Council of the District of Columbia finds that the public alley in Square 1189, as shown on the Surveyor's plat filed under S.O. 98-150, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the Surveyor's plat.

Sec. 302. The applicant shall certify to the District, prior to the issuance of a building permit for the development facilitated by the alley closing, that the applicant has:

(1) Satisfied the easement and other conditions required by Washington Gas as set forth in the official file on S.O. 98-150; and

(2) Provided relocation assistance to eligible retail tenants displaced by the development facilitated by the alley closing, as required by section 209 of the Act.

### **TITLE IV - FISCAL IMPACT STATEMENT**

Sec. 401. The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

**TITLE V - TRANSMITTALS OF ACT**

Sec. 501. The Council of the District of Columbia shall transmit a copy of this act, upon its adoption, each to the District of Columbia Surveyor, the District of Columbia Recorder of Deeds, the Mayor's Office of Planning, and the National Capital Planning Commission.

**TITLE VI - EFFECTIVE DATE**

Sec. 601. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule

Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia